IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16592 of 2004

Between:

P. Nageswar Rao, S/o. Ramulu,
No.B99, Nedunuru Lakshmi Primary Agriculture,

Cooperative Credit Society, Nedunuru, Pedapeta,
Amalapuram, East Godavari District.

..... PETITIONER

AND

1 The General Manager, DCCB, Kakinada, East Godavari District.
2 The Divisional Cooperative Officer, Amalapuram,

East Godavari District.
3 Nedunuru Primary Agriculture Cooperative Credit Society,

rep., by its Person-in-Charge,
Nedunuru, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in Terminating the services of the petitioner vide order dt. 30-06-2004 as illegal, arbitrary and violative of Article 14 and 21 of the Constitution of India and consequently set aside the same consequently direct the respondents to continue the petitioner in the society with all consequential and incidental benefits and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. S.M.SUBHAN

Counsel for the Respondents: Mr. C.V.MOHAN REDDY

The Court at the admission stage made the following ORDER:

The petitioner worked as a Sales Assistant/Attender in the 3rd respondent-Society. He approached this Court challenging the order of the 3rd respondent-Society dated 30-06-2004 terminating the petitioner from service with effect from 30-06-2004 and sought for a declaration that the said order is illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India.

On 01-07-2004 the Executive body of the 3rd respondent-Society passed a resolution, the relevant portion of which reads as follows:

> "As per the directions Sri Pulidendi Nageswara Rao was terminated in pursuance of 1993 Act and now as per this resolution and according to the gains of the Society it is resolved to take back the services of the said employee with the prior permission from Deputy Registrar, Amalapuram and it is resolved unanimously"

In view of the resolution passed by the Executive body of the 3rd respondent-Society, the 3rd respondent-Society is directed to continue the services of the petitioner in the same capacity on the same terms and conditions till they obtain permission from the Deputy Registrar.

Accordingly, the Writ Petition is disposed of.

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(Dr. G.YETHIRAJULU,J)

27th October, 2004.

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To

1. The General Manager,

DCCB, Kakinada,

East Godavari District.

2. The Divisional Cooperative Officer,

Amalapuram,

East Godavari District.

3. The Person-in-Charge,
Nedunuru Primary Agriculture Cooperative Credit Society,

Nedunuru, East Godavari District.

4. Two CD Copies.